

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

HOWARD ELLIS,)	3:08-cv-00657-MMD-WGC
)	
Plaintiff,)	<u>MINUTES OF THE COURT</u>
)	
vs.)	June 10, 2013
)	
JAMES BENEDETTI, et. al.)	
)	
Defendants.)	
)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: KATIE OGDEN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Plaintiff has filed a Motion for Judicial Action on the Amended Civil Rights Complaint (Doc. # 216) which Defendants have opposed (Doc. # 223).

In his motion, Plaintiff states that the resolution of this case has been delayed by the court and requests a pretrial conference. He asserts that certain motions remain pending before the court, and seeks the issuance of a scheduling order. He also requests a settlement conference.

Defendants do not think that a settlement conference would be useful at this juncture.

The court appreciates Plaintiff's position regarding the posture of this case; however, Plaintiff is reminded that his is not the only case pending before the court. The court also reminds Plaintiff that he has filed three requests for injunctive relief in this matter, along with corresponding requests for a hearing, as well as at least seven requests for the appointment of counsel, and various other motions concerning pretrial matters. While Plaintiff has every right to file proper motions, his motions are not the only ones pending before the court. Defendants filed their Answer to Plaintiff's Amended Complaint on April 3, 2013 (Doc. # 218), and the court issued its Scheduling Order on the same date (Doc. # 220). Therefore, to the extent Plaintiff requests the issuance of such an order, his request is moot. The Scheduling Order sets forth relevant deadlines for discovery and the filing of dispositive motions.

MINUTES CONT'D

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The court has concurrently issued a report and recommendation regarding Plaintiff's Motion for Injunction (Doc. # 210), request for an evidentiary hearing (Doc. # 211), along with a minute order concerning his motion concerning his inability to execute a discovery plan (Doc. # 215). As to any other items that remain outstanding, including the objection to the order regarding appointment of counsel (Doc. # 205) and the motion to alter or amend the judgment (Doc. # 197), Plaintiff is assured that the district judge will handle them in due course.

Finally, if Defendants do not agree that a settlement conference would be productive at this time, the court will not force the parties to engage in negotiations at this juncture, especially while discovery is still ongoing.

Accordingly, Plaintiff's motion (Doc. # 216) is **DENIED**.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: /s/
Deputy Clerk